

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ANGELA E. DAIN,

No. CV. 10-6104-ST

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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HERNANDEZ, District Judge:

Magistrate Judge Janice M. Stewart issued a Findings and Recommendation (doc. #15) on May 23, 2011, in which she recommends that the Commissioner's final decision be reversed and remanded pursuant to Sentence Four of 42 U.S.C. § 405(g) for the immediate calculation and award of benefits. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record de novo. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (de novo review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles de novo, I find no error.

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CONCLUSION

The Court ADOPTS Magistrate Judge Stewart's Findings and Recommendation (doc. #15). Accordingly, the Commissioner's final decision is reversed and remanded pursuant to Sentence Four of 42 U.S.C. § 405(g) for the immediate calculation and award of benefits.

IT IS SO ORDERED.

DATED this 21st day of June, 2011.

/s/ Marco A. Hernandez

MARCO A. HERNANDEZ

United States District Judge